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Date: January 22, 2009/Jessica Sexton/
Jessica Sexton**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Appellant(s): Eric J. Horvitz, *et al.*

Examiner: Peling Andy Shaw

Serial No: 10/021,621

Art Unit: 2144

Filing Date: December 12, 2001

Title: CONTROLS AND DISPLAYS FOR ACQUIRING PREFERENCES, INSPECTING BEHAVIOR, AND GUIDING THE LEARNING AND DECISION POLICIES OF AN ADAPTIVE COMMUNICATIONS PRIORITIZATION AND ROUTING SYSTEM

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANT APPEAL BRIEF
DATED DECEMBER 22, 2008

Dear Sir:

Appellants submit this revised section of the appeal brief in connection with an appeal of the above-identified patent application. Section II concerning the Related Appeals and Interferences has been revised to correct the status of related appeals. With respect to section IV concerning Status of Amendments, the previously filed section IV in the Appeal Brief is correct. The Notice of Non-Compliant Appeal Brief asserts that amendments were filed on April 4, 2008

in the Reply to Final Office Action dated February 4, 2008. On the contrary, no claims were amended after the Final Office Action dated February 4, 2008 as evidenced by the claims filed in the Reply filed on April 4, 2008 and available for viewing in Private PAIR at the USPTO website. Although, Examiner initialed the first page of the Reply on April 25, 2008 indicating entry of amendments, no claims were amended. As such, the statement regarding the status of amendments in section IV of the filed Appeal Brief is correct.

II. Related Appeals and Interferences (37 C.F.R. §41.37(c)(1)(ii))

Appellants, appellants' legal representative, and/or the assignee of the present application are aware of appeals or interferences which may be related to, will directly affect, or be directly affected by or have a bearing on the Board's decision in the pending appeal. An appeal filed on February, 23, 2007 for Application Serial Number 10/220,550 is pending. Additionally, an Appeal Brief was filed for Application Serial Number 10/609,818 on December 10, 2008.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP225USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact appellants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Nilesh S. Amin/

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